

AGENDA ITEM 7: Bay Delta Conservation Plan (BDCP)

Prepared by: Erik Vink

Presented by: Erik Vink

Requested Action: Consider proposed letter to U.S. National Marine Fisheries Service commenting on BDCP and associated DEIR/EIS

Background: The Delta Protection Commission has weighed in on the proposed Bay Delta Conservation Plan on several occasions, including a January 2013 vote requesting consideration of a portfolio-based conceptual alternative (and a follow-up letter to Secretaries Salazar and Laird) and a May 2013 vote to oppose the Bay Delta Conservation Plan as proposed at that time (and a follow-up letter to Governor Brown).

At the March 2014 DPC meeting, the Commission heard concerns about the BDCP from a panel representing Delta interests. On April 28, DPC staff conducted a BDCP workshop and heard from a number of Delta residents about their concerns with the proposal. The Commission discussed a draft BDCP comment letter at its May 22 meeting and asked staff to return with a revised letter.

Since the public release of the BDCP DEIR/EIS documents, DPC staff have been reviewing aspects of the Plan and the environmental documents to determine areas of inconsistency with the Commission's Land Use and Resource Management Plan (LURMP). The results of our review are attached; both a proposed comment letter on the BDCP and the associated DEIR/EIS (in both a redline version showing changes from the letter considered at the May 22 meeting and a clean version), and a matrix of comments to supplement the letter.

Following an introductory section describing the Commission as the forum for Delta residents to engage in decisions regarding the unique cultural, recreational, natural resource and agricultural resources of the Delta, the draft letter states the central concern with the proposed project: in staff's opinion, the BDCP was completed with an overwhelming focus on only one of the co-equal goals (water supply reliability; more specifically, a more reliable water supply for south-of-Delta exporters) while almost entirely disregarding the protection and enhancement of the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place.

The letter also describes the concerns with the proposal in relation to Delta as Place (community, recreation, agricultural and water-related impacts in the Delta), inadequate analysis of alternatives (non-isolated conveyance options were all but ignored in the review), and inadequate mechanisms for addressing project impacts (governance and a proposed Delta Compensation Fund).

The draft BDCP has substantial impacts on Delta residents and communities. It would be possible to expand the comment letter and matrix substantially, but we feel we have given a thorough review to the most significant impacts to the Delta region.

NEXT STEPS: The BDCP comment deadline is July 29. With direction from the Commission, DPC staff will finalize its letter and submit. We will also share our letter on our website and have offered to post other comment letters that are submitted to us.